UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/2000/SR.19
19 September 2000

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 19th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 14 August 2000, at 3 p.m.

Chairperson: Ms. MOTOC

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PREVENTION OF DISCRIMINATION AGAINST AND THE PROTECTION OF MINORITIES

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GE.00-15036 (E)

The meeting was called to order at 3 p.m.

PREVENTION OF DISCRIMINATION AGAINST AND THE PROTECTION OF MINORITIES (agenda item 8) (E/CN.4/Sub.2/2000/10, 27 and 28)

1. Mr. SIK YUEN, introducing his working paper on the human rights problems and protections of the Roma (E/CN.4/Sub.2/2000/28) said that chapter I gave the historical background, while chapter II divided the human rights problems of the Roma into two sections: racism and violence (section A) and socio-economic problems (section B). Chapter III dealt with human rights protection of the Roma, chapter IV covered recourse to regional and international organizations for the protection of human rights, and chapter V related to a feasibility study. There was clearly an urgent need for a thorough study to be made of the situation of the Roma.

2. The Roma were victims of every known type of human rights abuse. If the problems associated with racism and violence were to be resolved, States must live up to their duties to promote and protect human rights. As Mr. Yokota had said in relation to agenda item 2, those duties could be divided into five categories: "prevention", "respect", "protection", "punishment" and "remedies". He wished to stress the fifth category in relation to section A, namely the obligation of States not only to compensate victims of human rights violations in which they were directly involved, but also - and possibly even more significantly - to provide financial, medical and other assistance to the victims of human rights violations committed by others.

3. As for section B, the massive inequalities preventing the Roma from effectively enjoying their socio-economic rights required affirmative action, particularly in education and employment.

4. Despite the discrimination and indignities suffered, the Roma must not remain in a cocoon of self-imposed exclusion, but must make efforts to integrate - particularly in the light of the newly expressed interest of Governments in promoting and protecting their rights. Moreover, the Roma must claim their rights not as a favour done to them, but as fully-fledged citizens.

5. A number of recent developments had been reported in the world's media. In Germany, where recent bombing by a neo-Nazi group had led to six deaths in a Jewish community, it had been announced that there was a need for tougher anti-racist laws and policy on prosecution and sentencing. In France, traders in Chambley were apparently exerting pressure on their local authorities to prevent several thousand Roma from holding their annual meeting, which involved setting up a camp in the village. In the Czech Republic, the Government had taken measures to make kindergartens accessible to five-year-old Roma children to improve their chances of securing a place in a normal primary school at the age of six. In Chile, the most popular soap opera on television was entitled "Roma". The reportedly successful adaptation of the Roma in South America merited further study.

6. Mr. JOINET said that he was delighted that the Roma question - one of the most sensitive issues ever tackled by the Sub-Commission - was finally beginning to receive the attention it deserved. In the past, when the issue had been raised by non-governmental

organizations (NGOs) and others, it had never managed to hold the international community's attention for long. It was as if nobody had wanted to take responsibility for a people dispersed throughout so many countries. The causes of the human rights problems and intolerance to which the Roma were subjected, although well-known, were difficult to overcome. He thus looked forward to reading the comprehensive list of recommendations which Mr. Sik Yuen proposed to elaborate, including measures for their effective implementation.

7. Ms. FREY said that Mr. Sik Yuen's working paper (E/CN.4/Sub.2/2000/28) drew attention to the need for further action by the Sub-Commission on the urgent issue of the human rights of the Roma, an issue that was already receiving close attention from the Committee on the Elimination of Racial Discrimination. The most serious threats facing the Roma in Central and Eastern Europe were violence and discrimination. Many States were not providing protection to the Roma in those cases, failing in their obligation to investigate and bring the perpetrators to justice.

8. Discrimination against the Roma, most notably in the areas of education, housing and employment, was rife. The few Roma children attending school in Central and Eastern European countries were often segregated into special schools for "intellectually deficient" students, and illiteracy was very high among the Roma.

9. A combination of red tape and discrimination often condemned the Roma to live in inferior ghetto-like housing on the periphery of towns. Local councils, unchallenged by the Government, had issued ordinances banning Roma from their communities. The discrimination against the Roma was further compounded by the lack of reliable data on their social and economic situation in many countries.

10. She encouraged the Sub-Commission to endorse the conclusions in Mr. Sik Yuen's paper and to recommend that he be authorized to prepare a comprehensive study on the human rights problems and protections of the Roma. A full study should include a review of national legislation to protect the Roma, an analysis of the experience of the Roma with the criminal justice system and in education and in employment, biased treatment of the Roma in the media and the particular effects of discrimination against the Roma on women and children.

11. Governments, for their part, should, in consultation with the Roma communities, immediately take steps to fulfil their obligations under international human rights law. They should also: adopt legislation prohibiting all forms of discrimination against the Roma; promptly and aggressively prosecute ethnically motivated crimes against the Roma; provide mandatory training for police officers and prosecutors to enable them adequately to investigate and prosecute hate crimes; and provide the means for civil prosecution for victims of ethnic violence or discrimination so that the Roma could seek compensation for their injuries. A concerted effort was needed by Governments, NGOs and Roma leaders to begin addressing the problem of the widespread discrimination and violence facing the Roma throughout Europe.

12. Mr. FAN said that it was clear from the report of the Working Group on Minorities on its sixth session (E/CN.4/Sub.2/2000/27) that the Working Group had made important progress, in particular with regard to maintaining a balance between the interests of minorities and majorities. He also welcomed the fact that it was paying attention to the importance of safeguarding national unity.

13. The working paper on the relationship and distinction between the rights of persons belonging to minorities and those of indigenous peoples (E/CN.4/Sub.2/2000/10) was most enlightening. As for the working paper on the human rights problems and protections of the Roma (E/CN.4/Sub.2/2000/28), it demonstrated that Mr. Sik Yuen was committed to a serious and courageous study of that sensitive issue. Mr. Sik Yuen should be given the opportunity to pursue his work.

14. It was a matter of concern that a number of American and European States parties continued to maintain reservations concerning article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, which called, inter alia, for positive measures to eradicate incitement to, or acts of, racial hatred and discrimination. The Committee on the Elimination of Racial Discrimination in its general guidelines had stressed that the article was of paramount importance for the implementation of the Convention.

15. It was clear that minorities had a number of legitimate rights which must be protected. According to article 8, paragraph 4, of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, however, nothing in the Declaration might be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

16. The multi-ethnic character of most States was currently a fact, and the world was undergoing a tumultuous period of ethnic conflict. As the former Secretary-General of the United Nations had stated in An Agenda for Peace, if every ethnic, religious or linguistic group claimed statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would become ever more difficult to achieve.

17. The human rights of all ethnic groups within a State's territory must be further promoted and protected, but it was important to be vigilant to prevent any separatist attempts.

18. Mr. KARTASHKIN, welcoming the working paper on the human rights problems and protections of the Roma (E/CN.4/Sub.2/2000/28), said that Mr. Sik Yuen should be given the mandate to pursue his insightful work. He should also be encouraged to broaden his study to include the activities of any regional organizations that might be working to protect Roma interests, such as the Council of Europe or the Organization for Security and Cooperation in Europe (OSCE). No mention was made in the working paper of any individual communications relating to the Roma that might have been received by the European Court of Human Rights, for instance.

19. The Committee on the Elimination of Racial Discrimination always paid particular attention to the issue during its dialogue with the States parties, but it was not the only

United Nations body dealing with Roma-related issues. In his future work, Mr. Sik Yuen should pay special attention to measures that might be adopted at the international level to complement and inform national efforts to improve the situation of the Roma. To that end, Mr. Sik Yuen should be appointed special rapporteur on the Roma.

20. Mr. OGURTSOV, also welcoming Mr. Sik Yuen's working paper, said that the Sub-Commission must take urgent steps to promote the rights of the Roma. A situation in which an entire people was the object of racial discrimination, violence and human rights violations was not to be tolerated. The security of the Roma was undermined not only in Kosovo - where Roma were subject to racial violence - but in a number of European countries where neo-fascist groups were regrettably making a comeback. It must not be forgotten that, during the Second World War, the Roma had been exterminated on a scale comparable to that of the Holocaust. It was a matter of concern that extremist groups continued to view the Roma as lesser human beings.

21. Despite the efforts of European regional organizations in the mid-1990s, the situation of the Roma had only worsened. The experience of the United Nations in protecting the human rights of ethnic minorities must be harnessed in their interests. Indeed, the Sub-Commission had sufficient grounds for commissioning a comprehensive study of the issue. Mr. Sik Yuen should be encouraged to continue his work by pursuing contacts with the relevant European regional mechanisms, in particular the OSCE Contact Point for Roma and Sinti Issues.

22. Mr. GUISSÉ said that Mr. Sik Yuen's working paper (E/CN.4/Sub.2/2000/28) provided an excellent introduction for him and others like him who knew little of the human rights abuses endured by the Roma in certain countries. It had opened up a new and extremely important avenue for future study.

23. Mr. EIDE said that the issues of housing, employment and education discussed in Mr. Sik Yuen's working paper were, of course, very important, but he encouraged Mr. Sik Yuen to focus in future studies on the crucial issues of the availability of effective remedies and the impartiality of law-enforcement officials. He also hoped he would look into the specific case of the Roma who had been expelled from Kosovo the previous year despite the international presence there.

24. Mr. RODRÍGUEZ-CUADROS said that Mr. Sik Yuen's first-class working paper not only provided comprehensive information on the situation of the Roma but also attempted to map out a course of action for protecting and safeguarding those rights, with suggestions regarding the forms such protection might take. He was particularly interested to hear Mr. Sik Yuen refer, in his introductory statement, to Mr. Yokota's five categories of the duties incumbent upon States in respect of the promotion and protection of human rights. He agreed with Mr. Eide that it was absolutely crucial to ensure that the Roma received fair treatment under the law and had access to effective remedies. Like other members, he believed the Sub-Commission should give Mr. Sik Yuen a new mandate to carry out a more thorough study.

25. Ms. KILLINGHAM (International Human Rights Association of American Minorities) said that residents of the District of Colombia did not enjoy the same protection under the law as other residents of the United States because Congress held the power of exclusive legislation

over the District of Colombia and had not included its residents in existing apportionments of congressional districts. Their right to due process had been violated when a lower court entered a judgement against their case without addressing their unique claims and evidence. She called for self-government for the residents of the District of Colombia, freedom for political prisoners, a fair judicial system and reparation for blacks in America.

26. Mr. JAMES (International Human Rights Association of American Minorities) said that discrimination continued to be practised against the indigenous peoples of the Americas despite the efforts of the United Nations. In Alaska, indigenous people suffered serious health problems because they were denied access to their natural foods; immigrants had commercialized those natural food resources and were depleting fish and other food stocks.

27. Disproportionate numbers of indigenous people were imprisoned throughout America, sometimes in prisons thousands of miles from their tribal lands. Record numbers of indigenous children were being adopted by non-natives and were thus being deprived of knowledge of their culture and heritage. The authorities simply "bypassed" Indian families entitled to remedial services for the reunification of families under federal law.

28. Traditional Indian values and religious practices were threatened throughout the United States by colleges and universities exploiting indigenous cultures in courses of native American studies and "creation spirituality". Lakota Indians were protesting against the gross commercialization and academic bastardization of their spiritual beliefs.

29. Mr. KARTASHKIN said that the Working Group on Minorities had entered a new phase in its work. Whereas it had in the past basically devoted itself to theoretical and thematic issues, it had recently turned its attention to practical issues such as the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Of course, the Working Group would continue to prepare studies on thematic issues relating to minorities, but it would spend a significant proportion of its time at its next session trying to find ways to resolve specific problems. He believed that such an approach, which combined practical and theoretical aspects, would be successful in the long run.

30. The views of Governments and NGOs should be sought on the desirability of drafting a convention on the rights of persons belonging to minorities. Such a convention could draw on the experience of regional instruments; it should be possible, for example, to find an internationally acceptable definition of a minority on the basis of the definitions contained in regional instruments and of article 27 of the International Covenant on Civil and Political Rights. The issue of drafting such a convention was raised in the Working Group's recommendations, which, if approved by the Sub-Commission, would enable the Working Group to develop an array of practical measures.

31. Ms. HAMPSON, referring to the working paper by Mr. Eide and Mrs. Daes (E/CN.4/Sub.2/2000/10), said that she had found the classification into categories of rights (para. 2) quite helpful. Although it was generally true, as stated in paragraph 10, that minorities had no right to collective self-determination, that idea had been somewhat qualified by the Human Rights Committee in its general comment on article 1 of the International Covenant on

Civil and Political Rights. If a minority was denied the right to participate in public life, by not being allowed to vote or form political parties for instance, so that the State authorities could not claim to represent that minority, it might have some collective right.

32. The section on the beneficiaries of the four categories of rights raised the awkward question of the criteria for determining membership of a group. It was useful to make a distinction between minorities and indigenous peoples, as there were significant differences between the two groups and States would accept rights for indigenous peoples that they would not accept for minorities, but the distinction was difficult to apply in practice. While a group's experience of discrimination was central to its definition as a minority, it should be remembered that some minorities also needed to be able to protect their culture and language.

33. Referring to the working paper on the Roma prepared by Mr. Sik Yuen (E/CN.4/Sub.2/2000/28), she agreed with Mr. Ogurtsov on the importance of regional initiatives. She stressed the importance of taking effective measures to prevent hate speech and racially motivated attacks and the importance of carrying out thorough investigations, prosecuting the guilty and punishing public officials who failed in their duties.

34. While it was true, as stated in paragraph 42, that the Roma had had very little recourse to regional and international organizations for the protection of their human rights, that situation was changing. In the past four years, the European Court of Human Rights had passed judgement in three cases involving very serious violations of the human rights of the Roma, including failure to protect the right to life. The Roma, and the courageous lawyers who took on their sometimes unpopular cases, could make more effective use of the case law of the Court.

35. Ms. AL TABAL (North-South XXI) drew attention to the expulsion of thousands of Palestinians from occupied East Jerusalem. In defiance of Security Council resolutions, the Government of Israel had declared Jerusalem to be its capital, and was applying discriminatory policies to reduce the number of Arabs in the city. Arabs were refused building permission and their buildings were even demolished; they were treated like foreigners in their own land, not being allowed to participate in elections; and Palestinian prisoners had been held for years without trial. The Israeli Government's policy aimed at the Judaization of the city was beginning to bear fruit. Steps must be taken to protect the human rights of the Arab minority in Jerusalem.

36. Ms. DIWAN (International Council of Jewish Women) said that any discussion of the rights of persons belonging to minorities involved the question of how to regard a human being both as an individual and as a member of a group. One effect of the recent advances in communications and information technology had been the erosion of social and cultural structures everywhere, thus requiring a new approach to the study of the future of human groups. All such modern trends, including the effects of globalization, the influence of large multinational companies and the decline of the nation State, as well as the growth in migration movements, were shedding new light on the question of minorities and of their identity as set forth in article 1, paragraph 1, of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

37. Likewise, as scientific advances had shown, genetic heritage was as much a determinant of identity as were ethnic, religious and cultural factors. As Mr. Eide had said in commenting on article 3, paragraph 2, of the Declaration, the provision was addressed both to the State and to minority group organizations, and the State could not impose sanctions on individuals who did not wish to belong to a group.

38. No individual, in fact, could be viewed as bound solely to one group and everyone had the right to enjoy more than one collective identity. Unfortunately, recent conflicts stemming from ideas of ethnic cleansing had been a calamitous setback to world progress and tolerance; it was too often forgotten that all nations had a multi-ethnic basis and that many civilizations that had enriched the history of the world had evolved from a blend of different cultures - a word which, unfortunately, was currently debased through being misapplied to almost any fashionable phenomenon.

39. Education could help enormously to promote greater understanding for the benefit of minority groups at the national, regional and world levels; and States must strive to avoid the extremes of assimilation on the one hand and the fragmentation of identity on the other.

40. Mr. EIDE, introducing the working paper on the relationship and distinction between the rights of persons belonging to minorities and those of indigenous peoples (E/CN.4/Sub.2/2000/10), drew attention to part I which was his own contribution thereto.

41. Attention to the rights specific to minorities and indigenous peoples had begun quite a long time previously, when the Sub-Commission's aim, pursuant to its original title, had been the prevention of discrimination and protection of minorities. It had been deemed useful to draw a distinction between minorities and indigenous peoples, and the Sub-Commission had subsequently been instrumental, inter alia, through various studies and working groups, in promoting awareness of the distinction, which the working paper currently before the Sub-Commission attempted to clarify.

42. He drew attention to the recognition of four sets of relevant rights, outlined in subparagraphs 2 (a) to 2 (d) and ranging from general human rights of the individual to solely collective rights. The conclusions, set forth in paragraphs 22 to 26, reflected a fairly clear distinction between minorities and indigenous peoples. General human rights had a distinctly integrative function, and persons belonging to minorities often had several identities and participated actively in the common domain - the underlying assumption being that indigenous peoples, having a preuominantly indigenous identity, participated less. The latter's culture, too, was viewed as more closely linked to the use of land and natural resources.

43. Since, however, the usefulness of a clear-cut distinction might be debatable, it was perhaps time for the Sub-Commission to look at the issue again and consider whether all minorities and indigenous peoples should be treated alike or whether some differentiation was required. With regard to Ms. Hampson's observations, it might perhaps be the case that a minority whose rights were not respected had a right to self-determination, but the difficulty would be in deciding when such a situation would apply.

44. Mrs. DAES, referring to her own contribution (part II) to the working paper, drew attention to the factors, set out in paragraph 28, which had repeatedly been asserted, singly or in combinations, as characteristics of either minorities or indigenous peoples. In the case of the last factor, aboriginality, there seemed to be different implications in international law; the principal legal distinction being in respect of internal self-determination, as mentioned in paragraph 43. Although some minorities enjoyed limited self-government, as stated in paragraph 44, only indigenous peoples were currently recognized, as a matter of international law, as possessing a right to political identity and self-government.

45. She agreed with Mr. Eide that it might be timely for the Sub-Commission to review the whole matter, bearing in mind, in that regard, the findings of previous studies and working groups.

46. Mr. SIK YUEN said he welcomed the working paper that had just been introduced. Referring to the differentiation, mentioned in paragraph 8, with regard to specific rights, he wondered whether a rigid distinction was possible. Any agreed form of autonomy would require the parties concerned to establish a suitable framework, for which many crucial factors, such as land, would vary from case to case. A mainstream population often perceived - quite wrongly - that minority protection measures in some way eroded their own rights; it was important, therefore, to educate and assure populations that the protection of human rights involved no competition between those of a minority and those of a majority.

47. He greatly appreciated the Sub-Commission's comments about the working paper he had presented on the human rights problems and protections of the Roma (E/CN.4/Sub.2/2000/28), including the many helpful suggestions and recommendations. That paper reflected only a beginning of the task, to be pursued. While not wishing to pre-empt a decision to initiate the feasibility study proposed in Chapter V of the working paper, he had already made tentative arrangements to visit some of the institutions mentioned in the paper, with a view to promoting further attention to the topic.

48. Mr. MUHAMMAD (Caucasians United for Reparations and Emancipation) said that his organization, and 31 African-American organizations, endorsed recommendation by the Working Group on Minorities that a regional seminar for the Americas should be held (E/CN.4/Sub.2/2000/27, para. 116). The so-called African-Americans did not, unfortunately, fit the United Nations established definition of a minority or a people, and felt that the definition should be amended. The heritage of slavery meant that they had lost their mother tongue, culture and religion, and thus their identity; they nevertheless wished, as an indigenous group, to be reinstated as a people, since their forebears had possessed ancestral territory from which they had been forcibly removed. His organization appealed, therefore, to the Sub-Commission and the Working Group on Minorities, and supported the notion that race was a constituent element of the definition of a minority.

49. Mr. SHAHIN (Himalayan Research and Cultural Foundation) welcomed the statement by the Chairperson-Rapporteur of the Working Group on Minorities, as reflected in paragraph 85 of the Group's report (E/CN.4/Sub.2/2000/27), that minority demands for separation from the State of which they formed a part did not fall within the mandate of the Working Group. The Chairman-Rapporteur had also stressed that the Declaration on the Rights of Persons Belonging

to National or Ethnic, Religious and Linguistic Minorities was intended to strengthen such rights in the context of the principles laid down in the Charter of the United Nations. That emphasis was unfortunately missing from the discourse and activities of several minority groups in South Asia.

50. Minority grievances were sometimes exploited by rival States for their own strategic ends. Minorities in India had access to virtually unlimited funds, arms and training from across the country's borders if they were prepared to engage in subversive activities, erroneously referred to as a jihad. The fundamentalist interpretation of jihad in that context could not but lead to the denigration and misinterpretation of Islam as a religion that fomented sectarian hatred and violence.

51. The struggle to enforce minority rights must go hand in hand with the pursuit of political and social stability and international peace. It was therefore appropriate that the Working Group on Minorities had emphasized the importance of promoting mutual understanding between and among minorities and Governments.

52. A study of Hinduism and Islam revealed a symbiotic relationship between the two religions. They supplemented each other, as did all religions. The task of interpreting religion should not be left to those who had a vested interest in its misinterpretation.

53. He welcomed civil-society initiatives at the international level aimed at spreading awareness of the need for multicultural and intercultural education. Seminars on the subject along the lines of that held in Canada in 1999 should be organized in other parts of the world, particularly in South Asia.

54. Mr. SYED (European Union of Public Relations) said that the Chairman-Rapporteur of the Working Group on Minorities had specified four requirements for the protection of minorities: protection of their existence, non-exclusion, non-discrimination and non-assimilation (E/CN.4/Sub.2/2000/27, para. 17). Unfortunately, discrimination against minorities was actually written into the constitutions of certain States. His organization urged the Sub-Commission to request the Chairperson-Rapporteur to analyse those constitutions and propose measures to prevent the legalization of discrimination.

55. Multi-ethnic, multicultural, multi-religious and multilingual States had to perform a fine balancing act to protect the rights of minority groups. He welcomed the Sub-Commission's efforts to come to their assistance by proposing appropriate protective mechanisms and measures. Nevertheless, the report of the Working Group on Minorities, while addressing the issue of conflict between the State and internal minorities, failed to mention conflicts in which external forces targeted minority groups. The Kashmiri Pandits, a minority Hindu group, had been driven from their homes by militants sponsored by Pakistan, one of whose aims was to shatter the common cultural identity of the population of Jammu and Kashmir. The Sikh minority in Kashmir had also been targeted recently by the so-called mujahidin.

56. Developments in the post-cold-war period indicated that such situations would be encountered more and more frequently. It was high time for the Sub-Commission to pay adequate attention to the problem.

57. Mr. GRAVES (Interfaith International) said that violations of the political, cultural and religious rights of minorities in China were continuing. Many Muslim Chinese had been executed the previous month for demanding the basic right of freedom of expression. Unfortunately, the lack of an adequate response from the international community, including the United Nations, meant that such violations were set to continue. The President of his organization, who had paid many visits to China, had heard local people complain about United Nations neglect of their cultural and religious rights.

58. The people of Chechnya wondered why the United Nations, which had helped East Timor to achieve independence, was unable to assist them in preserving such minimum rights as the right to life, security and human dignity.

59. The Government of Saudi Arabia, which was a signatory to many international human rights treaties, had yet to live up to its promises to improve the situation of the Shi'a Muslim minority. No real progress had been made towards granting minorities the status of full citizens in terms of religious, employment and social rights.

60. Sectarian killings in Pakistan continued to endanger the security of minorities despite the military Government's promise to stamp out such killings.

61. In Turkey, the Alawis - the country's largest religious minority - were deprived of basic rights of education and religious observance. In particular, they were denied religious education facilities for their children. The secular Government prohibited Muslim women from wearing the hijab (the Islamic headscarf). A Member of Parliament who had refused to remove her hijab had been threatened with the loss of her Turkish citizenship.

62. In Afghanistan, 86 schoolchildren had been burned alive by the Taliban because they belonged to Shiite families.

63. The examples he had cited showed the urgent need for binding plans of action, under which Governments would be required to protect their minorities and honour their obligations under international treaties.

64. Mr. PIETROSANTI (Transnational Radical Party) said that, in Europe alone, there were at least 8 million Roma, a number that exceeded the population of many States. They shared the same origin, language and traditions and therefore constituted a nation rather than a minority. During the Holocaust, half a million Roma had been killed, a fact that had been largely forgotten. In Kosovo, they were currently the victims of racism and intolerance. The Roma were suffering, more than the members of any other nation, from the absence of a common European foreign policy.

65. At a recent world congress, the Roma nation had made it clear that it desired representation and not the establishment of a State, an aspiration that had frequently ended in tragedy. The Roma realized that the key to a better life for everyone lay in the rule of law, democracy and liberty.

66. He urged the Sub-Commission to address the issue of whether the State, in its existing form, was properly equipped to deal with the challenges of the modern world. His organization advocated the creation of a united federation of Europe, a framework within which the concept of a minority would lose its relevance. The rule of law would simply be implemented in the light of the changing needs of each individual. That was the dream of the Romani nation. It was a dream that should be taken up and developed by the international community in general and the Sub-Commission in particular.

67. Mr. GUPTA (International Institute for Non-Aligned Studies) said that there were two opposing trends in the modern world: homogenization and globalization, on the one hand, and assertion of diversity and demands for autonomy, on the other. The latter trend often led to ethnic conflicts, which caused loss of life and suffering throughout the world and continually threatened to spill across national boundaries.

68. States were not seriously complying with the rights recognized in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Indeed many of them feared that such rights would only cause more trouble. Individuals could not, however, be cut off from their linguistic and cultural roots through assimilation into a dominant culture. It was therefore necessary to promote harmonious relations among different groups through mutual respect for each other's language and culture.

69. His organization was pleased to note that the Working Group on Minorities had begun to take seriously the task it had set itself some years previously of acting as the main forum for constructive dialogue on the treatment of minorities by Governments and on ways to improve relations between the parties by finding methods of defusing tension and preventing conflict. The Working Group and the Sub-Commission must impress upon States the need to implement minority rights effectively. The two pillars of such action should consist in protection of the human rights of the group and those of the individuals belonging to the group.

70. Mr. LEBLANC (Franciscans International), speaking also on behalf of Dominicans for Justice and Peace, said that religious intolerance was at the root of a number of conflicts and ongoing violence throughout the world. The absence of political will on the part of some Governments to end discrimination encouraged groups to persecute individuals and organizations.

71. However, an opportunity to counter the growth of religious intolerance had presented itself in Pakistan, which had promised to announce on that same day a restructuring of the election laws. The organizations for which he spoke, in conjunction with the Pakistan Bishops' Commission on Justice and Peace and the Justice and Peace Commission of Religious Men and Women of Pakistan, urged the authorities of that country to end the system of separate electorates which denied religious minorities their right of universal adult franchise by nullifying the significance of their votes and depriving their elected representatives of effective authority. It was a system that exacerbated existing religious divisions by institutionalizing discrimination.

72. Civil-society groups and organizations had taken a number of initiatives designed to end the system. The Chairman of the National Commission of Justice and Peace had written an open letter on the subject to the Chief Executive of Pakistan in February 2000. The National

Commission for Justice and Peace, in conjunction with several other bodies, had submitted a working paper to the governmental authorities highlighting the discriminatory effects of the system. A convention of 19 political parties in July 2000 had concluded that equality must be the basis of the electoral system and Christian Organizers for Social Action had presented the Office of the Chief Executive with 200,000 signatures demanding the replacement of the existing system.

73. The organizations for which he spoke urged the Sub-Commission, in the light of the unprecedented popular protest campaign, to monitor progress towards the implementation of full democracy in Pakistan. They urged the Working Group on Minorities and the Special Rapporteur on religious intolerance of the Commission on Human Rights to monitor and report on the development of a non-discriminatory joint electorate system.

The meeting rose at 5.40 p.m.